

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY

RE: TENTATIVE DESIGNATION OF THE DRUKER COMPANY AS
REDEVELOPER FOR THE ARLINGTON/HADASSAH SUBPARCEL OF
PARCEL 1 OF THE PARK PLAZA URBAN RENEWAL PROJECT

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has established an Urban Renewal Plan under Chapter 121B of the General Laws of the State of Massachusetts; and

WHEREAS, the Urban Renewal Plan for the Park Plaza Urban Renewal Area (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local and State law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects under Chapter 121B, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, The Druker Company has expressed an interest in and has submitted a satisfactory proposal for the redevelopment of the Arlington/Hadassah sub-parcel of parcel 1 in the Park Plaza Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That The Druker Company be and hereby is tentatively designated as Redeveloper of Arlington/Hadassah sub-parcel of parcel 1 in the Park Plaza Urban Renewal Area, subject to the terms and conditions set forth in the document entitled TERMS AND CONDITIONS FOR TENTATIVE DEVELOPER DESIGNATION FOR ARLINGTON/HADASSAH SUB-PARCEL OF PARCEL 1, dated December 22, 1983, attached hereto, and incorporated herein by this reference.
2. That it is hereby determined that The Druker Company, together with its financial partners, Guinness Peat Properties and Westland/Utrecht Hypotheekbank, possesses the qualifications and financial resources necessary to acquire and redevelop the land in accordance with the Urban Renewal Plan for the Project Area and the Development and Design Guidelines for the parcel.
3. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures will be taken to avoid or minimize damage to the environment and to design and construct the project in a manner that minimizes its use of fossil fuels.

DECEMBER 22, 1983

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY 4396

FROM: ROBERT J. RYAN, DIRECTOR

SUBJECT: PARK PLAZA URBAN RENEWAL PROJECT
TENTATIVE DESIGNATION OF REDEVELOPER OF ARLINGTON/
HADASSAH SUBPARCEL OF PARCEL 1

The Authority, on August 5, 1982, authorized the advertisement of a developer's kit for the Arlington/Hadassah sub-parcel of Parcel 1 in the Park Plaza Urban Renewal Project Area. Development interest was sought for a mixed-use project with a predominantly residential character on a 50,000 square foot private/public parcel bounded by Boylston and Arlington Streets, Park Plaza and Hadassah Way.

Dramatic changes are taking place in this western end of the Park Plaza project area. The State Transportation Building, with its 60,000 square foot retail center, CityPlace, will be occupied by 2,000 employees early in 1984. The Four Seasons Hotel/Condominium project, with its 290 luxury hotel rooms and 100 condominiums and the first phase of the public plaza, is under construction and scheduled to open in early 1985. In addition, Authority consulting engineers have just completed 100% construction documents for a \$3 million Urban Systems street and sidewalk improvements program in the Park Plaza-Theater District area, including Boylston and Arlington Streets.

The \$78 million development of this site will contribute substantially to the upgrading of the southern edge of the Public Garden, replace a presently underutilized and relatively inactive block with an attractive, vital and integrated development and will provide a strong link between the Back Bay and the Four Seasons/State Transportation Building area.

The Authority received five preliminary proposals in response to its first stage Development and Design Guidelines. After staff and Park Plaza Civic Advisory Committee (CAC) review, Final Stage guidelines were issued to two finalists, The Druker Company and the Macomber group. Both final submissions underwent further intensive review by the staff and the CAC.

The proposal by The Druker Company (Ronald M. Druker, President) best meets the design and development requirements of the City. In terms of design, the CAC, BRA staff, and other reviewers have been unanimous in their praise of the building design which reflects and fits into the Back Bay context particularly well. The interior arrangement and treatment of the condominiums, the office and retail space are judged to be exceptionally well handled. Despite constraints on the design and development of this project, the developer has successfully demonstrated the financial feasibility of the proposal, particularly with regard to development costs and condominium sales prices. The Druker Company proposal was found to have the most desirable mix of uses, with major emphasis on the residential use, a

strong retail presence, and a lesser amount of office space. Finally, the developer has surpassed the BRA minimum contributions for linkage and for a maintenance fund for the Public Garden and Boston Common.

The Druker Company has three generations of experience developing and managing residential, office and retail buildings in Boston. They developed, own and manage The Colonnade Hotel and are owners of the Shreve, Crump and Low Building across Arlington Street from this site. The Druker Company will develop the property, will retain ownership of the office and retail components and, in conjunction with the Colonnade Management Group, manage it after completion. Westland/Utrecht Hypotheekbank, a consortium of Dutch pension funds, will provide permanent financing for the office and retail components. Guinness-Peat Properties, Inc., an English investment firm, and Westland/Utrecht will provide short-term capital for site assembly and initial development costs. The First National Bank of Boston will provide construction financing. The Architects Collaborative will be responsible for all architectural and landscape architectural elements of the project.

The Druker development is consistent with the objectives of the urban renewal plan and the parcel design and development guidelines. The proposal is for a mixed-use building of approximately 500,000 gross square feet. There will be 55,000 square feet of retail on the first and second floors and the first below-grade parking level; 90,000 square feet of office space on the second and third floors; 111 condominiums with an average unit size of 1,950 square feet on floors four through twelve; and 168 parking spaces on two underground levels for the condominium owners and office tenants. Common facilities for the residential units are on the fourth floor and include a library, a pool and a function room. The retail space will be of the highest quality, comparable to the best shops on Newbury Street and the condominiums will be competitive with those now in the Ritz addition and those proposed for the Four Seasons and Rowes-Foster Wharf.

Total development cost for the project is estimated at approximately \$78,000,000. The developer will be responsible for all costs relative to the site, including land acquisition, relocation and demolition. Subject to design and feasibility and to an agreement between the developer and the owner of the building at 250 Boylston Street and on-going design review by the Authority and the CAC, a proposal may be made to the Authority to integrate the 250 Boylston Street building into the development.

In response to the Final Stage Guidelines, the developer has agreed to contribute to or provide for four special public benefit requirements. In accordance with the City's policy on linkage between downtown development and neighborhood housing, and Boston Zoning Code Text Amendment No. 97, the Druker Company will contribute \$1,000,000 for the creation of low and moderate-income housing in the neighborhoods. It will also contribute \$75,000 per annum to a fund for the maintenance of the Public Garden and Boston Common, as well as install brick sidewalks around the site, repave Hadassah Way and build a small public plaza on the Park Plaza side. Finally, it will provide the usual 1% of basic construction costs for the creation and installation of public works of art on the site.

The project will create approximately 1,000 construction jobs and 550 permanent office and retail jobs and will produce approximately \$2,000,000 annually in net new taxes to the City.

It is considered that the developer has the expertise, experience and financial resources necessary to successfully and expeditiously undertake and complete the proposed project. Accordingly, it is recommended that the Authority tentatively designate the Druker Company as redeveloper of the Arlington/Hadassah sub-parcel subject to the "Terms and Conditions for Tentative Developer Designation for Arlington/Hadassah Sub-Parcel of Parcel 1." Said terms and conditions are hereby incorporated into the recommendation by reference.

An appropriate resolution is attached.

TERMS AND CONDITIONS FOR TENTATIVE DEVELOPER DESIGNATION
FOR
ARLINGTON/HADASSAH PARCEL SUBPARCEL OF PARCEL 1

1. DESIGN.

Subject to design and financial feasibility, to an agreement between the designated developer and the owner of the building at 250 Boylston Street, and on-going design review by the Authority and the Park Plaza Civic Advisory Committee, the Authority will allow the integration of the building at 250 Boylston Street into the development.

2. MASSING AND BUILDING HEIGHT.

The building height shall not exceed eighty five (85) feet along Boylston Street to a depth of fifty (50) feet from the Boylston Street private parcel property line. The building height on the remainder of the parcel must not exceed one hundred thirty (130) feet. Although mechanical areas on the building's roof are not within the building height limits, these areas must be concealed from view and must blend into the building design. The massing configuration of the building must not suggest a monolithic structure along the Public Garden frontage and must complement, from both Boylston Street and Park Plaza, the massing of the adjacent Four Seasons Hotel/Condominiums.

3. LINKAGE.

The designated developer shall comply with linkage policies as presented in the report of the Advisory Group on Linkage Between Downtown Development and Neighborhood Housing, issued on October 14, 1983, and with Boston Zoning Code Text Amendment Number 97. Additionally, the designated developer shall contribute the difference between One Million (1,000,000.00) Dollars and such amounts as are contributed pursuant to the linkage policy referenced above in same manner in which payments are made under said linkage policy to The Boston Housing Partnership, Inc. for a joint private-public neighborhood housing program.

4. CONTRIBUTIONS TO THE PUBLIC GARDEN.

Commencing at initial occupancy in the commercial portion of the development, a per annum contribution of Seventy Five Thousand (\$75,000.00) Dollars shall be made from that portion of the development to an entity to be designated by the Authority for the maintenance and improvement of the Boston Common and Public Garden. Said contributions shall be made for the life of the development, said requirement to be binding on the designated developer's successors and assigns, and shall be escalated every three years by a percentage equal to the cumulative change in the Consumer Price Index, but in no event more than five (5%) percent.

5. PUBLIC PLAZA.

A new public plaza must be created on Park Plaza at the intersection of Arlington Street. The plaza must be integrated into a pedestrian way connecting Arlington Street and the planned public open space at the

Four Seasons Hotel/Condominiums. Amenities at this new plaza must include trees, benches, trash receptacles, a fountain or water feature and lighting. The owner of the office component of the development will be required to maintain the plaza to the satisfaction of the Authority, its successors, assigns, or designees.

6. PUBLIC IMPROVEMENTS.

The designated developer shall reconstruct or provide adequate funds for the Authority to reconstruct brick sidewalks around the periphery of the entire sub-parcel and to provide therein trees, trash receptacles, and lighting. The only paving materials to be used for the reconstruction are brick and granite. The public road of Hadassah Way must also be paved with brick by the designated developer. The Arlington Street M.B.T.A. entrances adjacent to the parcel must be integrated into the reconstructed sidewalks or into the building.

7. DESIGN REVIEW PROCESS.

The Authority requires submission of design drawings for review and approval at three phases in the design review process in accordance with submission requirements normally followed by the architectural profession and the Authority:

- a. Schematic Design Drawings;
- b. Design Development Drawings and Outline Specifications; and
- c. Working Drawings and Final Specifications.

This design review process will include Authority review and approval of all exterior materials and all materials located in interior spaces accessible to the public and shall include review and approval of all changes from the approved drawings that may occur during the construction period. Additionally, presentations regarding any of the above to the Park Plaza Civic Advisory Committee may be required from time to time.

8. MATERIALS.

Building exterior and site materials should respect the masonry and brick character of Back Bay and Bay Village. Energy conservation characteristics of materials should be considered. All materials visible from the exterior will be subject to design review. All facades must be of equal quality. All landscaping and paving materials must be of high quality and must be compatible with the site improvements at the Four Seasons Hotel/Condominiums.

9. PUBLIC ART.

The designated developer shall make a contribution equal to one (1%) percent of basic construction costs for the creation and installation of works of public art, approved by the Authority and/or its designee, within the Project Area.

10. SUBSURFACE STRUCTURES AND STABILITY.

The designated developer shall establish and fund an Authority sponsored monitoring and review of the impact of the proposed design and construction on subsurface conditions, particularly, subsurface stability, utilities, and M.B.T.A. structures, and indemnify and hold

harmless the Authority and the City of Boston for any damages, consequential or otherwise, which may result from excavation, driving of piles, or other construction activity on the site.

11. REAL ESTATE TAXES.

Real estate taxes for the new development will be paid according to normal City of Boston Chapter 59 Assessing Department practices.

12. PARKING.

All parking and service areas shall be below-grade to the extent practicable. There shall be a minimum of one hundred sixty eight (168) parking spaces.

13. ENVIRONMENTAL CRITERIA.

The developer must comply with all provisions of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment, including the preparation of a broadly scoped Environmental Impact Report, if necessary or appropriate. Wind tunnel testing of the proposed design will be required of the designated developer. Adverse wind effects at the pedestrian level will require mitigation measures. Wind gusts in excess of 31 m.p.h. greater than one 1% percent of the time annually are not acceptable. All practicable means of conserving fossil fuels shall be explored. Life cycle costing shall be included in decisions on energy systems.

14. SITE ASSEMBLY.

The designated developer shall privately assemble the parcel without any direct local financial assistance for funding any portion of the development. The Authority, however, will exercise its power of eminent domain for private or public land acquisition should the designated developer be unable to assemble the parcels. Prior to using its power of eminent domain, the Authority will require that the developer assume the risk of all contingent liabilities associated with its use of eminent domain. The Authority will also require that the developer provide, in advance, the Authority with security, deemed sufficient by the Authority, to cover all liabilities associated with acquisition business and utility relocation, and demolition.

15. COOPERATION AGREEMENT.

Prior to final designation the designated developer shall enter into a cooperation agreement with the Authority regarding the acquisition of parcels not yet under the developer's control, including public parcels, and indemnification of the Authority for any relocation or other costs which may be incurred by or claims which may be brought against the Authority, including associated legal and administrative costs, in connection with the development.

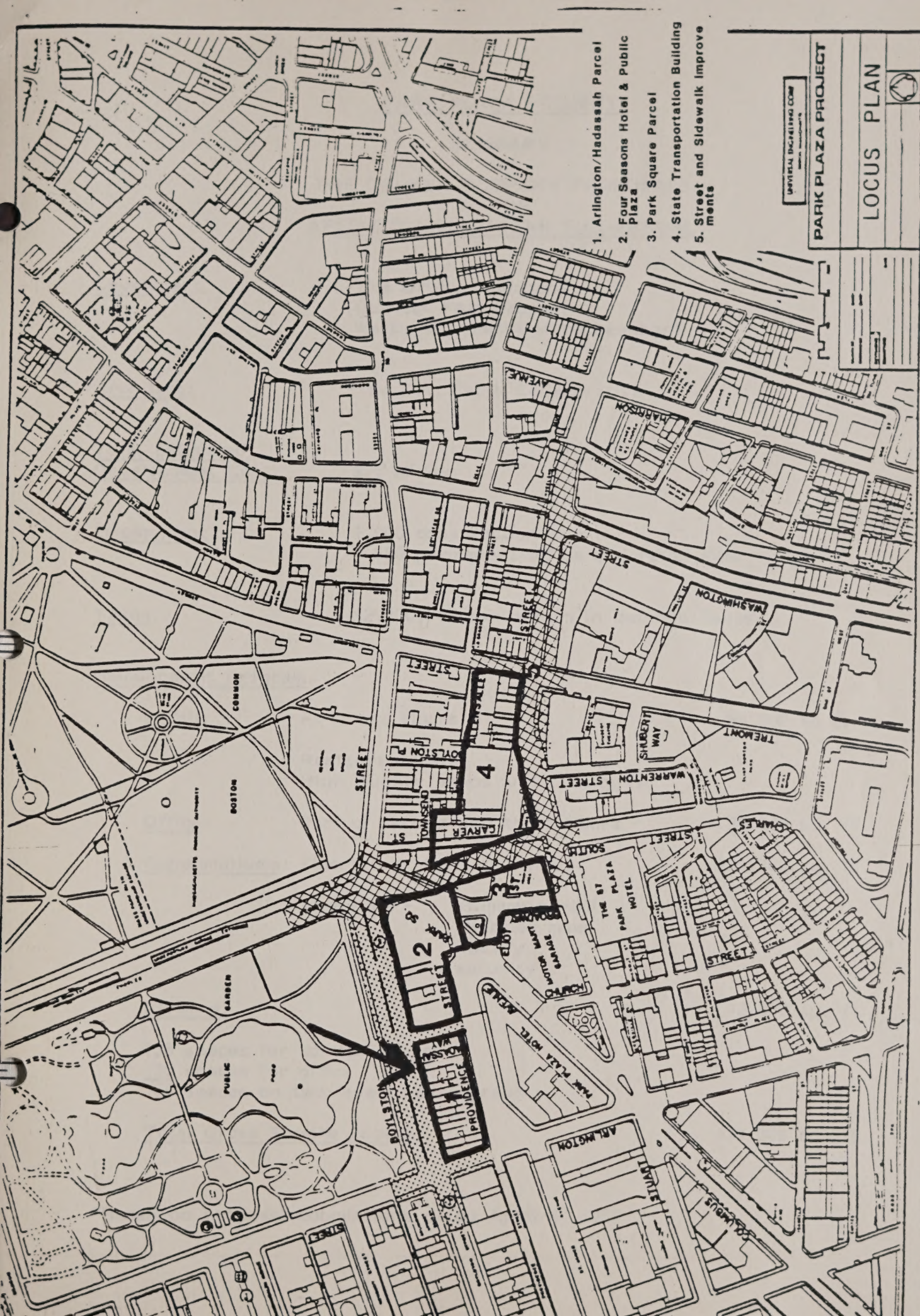
16. URBAN RENEWAL PLAN.

The designated developer will be required to comply with all provisions of the Park Plaza Urban Renewal Plan, as approved, and the corresponding provisions of Chapter 121B of the Massachusetts General Laws.

17. INTENT TO PROCEED.

Within one hundred eighty (180) days of tentative designation the following items shall be submitted to the Authority in forms satisfactory to the Authority:

- (i) Evidence of the availability of necessary equity funds, as needed;
- (ii) Proposed development schedule; and
- (iii) Letter of intent to proceed.



1. Arlington/Hadassah Parcel
2. Four Seasons Hotel & Public Plaza
3. Park Square Parcel
4. State Transportation Building
5. Street and Sidewalk Improvements

UNIVERSAL DIGITIZING CORP.
ANN ARBOR, MI 48106

PARK PLAZA PROJECT

LOCUS PLAN

PARK PLAZA PROJECT
SUMMARY
OF
THE DRUKER COMPANY PROPOSAL*
FOR
ARLINGTON/HADASSAH SUB-PARCEL

Developer: The Druker Company
Guiness Peat Properties
Westland/Utrecht Hypotheekbank

Architect: The Architects Collaborative

Total Estimated
Development Cost: \$78 Million

Employment: 1,000 construction jobs
550 permanent office and retail jobs

Taxes: \$2,000,000 per annum in net new taxes

Development Program

<u>Retail:</u>	First two floors	54,300 sq.ft.
	Restaurant/cafe High quality shops and boutiques	
<u>Office:</u>	Part of second and third floors	89,900 sq. ft.
<u>Condominiums:</u>	Floors four through twelve	254,700 sq. ft.
	Amenities - swimming pool exercise room library security	
<u>Parking:</u>		72,400 sq. ft.
	138 spaces for condominiums 30 spaces for office 168 spaces on two levels below grade	
<u>Total Gross Square Footage</u>		471,300 sq. ft.

*Based on proposal submissions dated April 4, 1983.

